

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

KOLLIN KING,

Defendant.

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**07-CR-131**

**NOTICE OF MOTION**

**MOTION BY:**

MaryBeth Covert, Assistant Federal Public  
Defender

**DATE, TIME & PLACE:**

Before the Honorable William M. Skretny, Senior  
United States District Court Judge, Robert H.  
Jackson United States Courthouse, 2 Niagara  
Square, Buffalo, New York, **on a date and a time  
to be set by the Court.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
MaryBeth Covert, dated January 26, 2018

**RELIEF REQUESTED:**

Modification of Supervised Release Conditions

**DATED:**

Buffalo, New York, January 26, 2018

**/s/ MaryBeth Covert**

MaryBeth Covert

Assistant Federal Public Defender

Federal Public Defender's Office

300 Pearl Street, Suite 200

Buffalo, New York 14202

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marybeth\_covert@fd.org

*Counsel for Defendant*

**TO:** Aaron Mango  
Assistant United States Attorney  
Western District of New York  
138 Delaware Avenue, Federal Centre  
Buffalo, New York 14202

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

**07-CR-131 WMS**

v.

**AFFIRMATION**

KOLLIN KING,

Defendant.

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**MARYBETH COVERT**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and our office was assigned to represent the above-named defendant, KOLLIN KING on February 1, 2007.

2. On August 6, 2007, Mr. King waived indictment and plead guilty to a Superseding Information charging him with possessing child pornography in violation of 18 U.S.C. §2252A(a)(5)(B). The plea was pursuant to a written plea agreement and provided for a sentence of 102 months under Federal Rules of Criminal Procedure 11(c)(1)(C).

3. On November 28, 2007, this Court imposed sentence, and following acceptance of the plea agreement, imposed a term of incarceration of 102 months to be followed by a period of supervised release of 6 ½ years.

4. While on supervised release, Mr. King was ordered to abide by the standard conditions of supervised release promulgated in the WDNY as well as the following special conditions of supervision, in relevant part, that “the defendant will be monitored for the term of his supervised release by an electronic monitoring system which utilizes a Global Positioning System (GPS) which will monitor the defendant with the use of 24-hour satellite.” (See Judgment, Doc. No. 35, Entered December 12, 2007.)

5. Mr. King was released from BOP custody on June 27, 2014 and commenced his term of supervised release.

6. Since that time Mr. King has been fully compliant with all of his conditions of supervision, including not only GPS monitoring, but also the remainder of the numerous conditions imposed. Mr. King has traveled, with the permission of the United State Probation Office and has been fully compliant with the conditions associated with that travel, as reported by his supervising officer.

7. Mr. King has requested to travel to Florida from February 6, 2018 through February 13, 2018. While the US Probation office does not object to this travel, the GPS condition makes such travel burdensome and restrictive. Accordingly, given Mr. King's continued compliance with the full panoply of his release conditions, we seek solely to remove the GPS monitoring component of his supervision.

8. The undersigned has spoken with Mr. King's supervising officer, Alicia Payne, who advises that she has no objection to this modification.

**WHEREFORE**, the defendant respectfully requests a modification of his special conditions of supervision to remove the GPS monitoring requirement.

**DATED:** Buffalo, New York, January 26, 2018

Respectfully submitted,

/s/ MaryBeth Covert

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